

COPY

in opinion

416 - 2

August 15, 1957

NEW HAMPSHIRE LAW LIBRARY

OCT 01 1998

CONCORD, N.H.

His Excellency, Lane Drinell
Governor of New Hampshire

Dear Governor Drinell:

You have requested our opinion as to whether in your absence the Acting Governor may certify the results of a referendum held by teachers under the provisions of RSA 101:10, as amended by Laws of 1957, 48:4. To this question our answer is in the affirmative.

The certification required is to be made by the Governor, and under the provisions of our Constitution, Part 2, Art. 49, the President of the Senate, as Acting Governor, shall, "during such vacancies /absence from the State/ have and exercise all the powers and authorities which, by this constitution the governor is vested with . . ."

You have further requested whether you may, as Governor, delegate the authority to certify the results of said referendum to your Administrative Assistant. In view of the language referred to above, it is our opinion that such delegation is not possible.

Very truly yours,

Arthur E. Bean, Jr.
Assistant Attorney General

AEB, Jr./w